

## **EXHIBIT 1**

### **INTRODUCTION**

Respondent, Leo Bleier, has been a member of the Board of Education of the Ukiah Unified School District (“District”) for the past twelve years, having been most recently re-elected to the board in November of 1997. As a member of the Board of Education, Respondent is a designated employee of the District, as defined in Section 82019, subdivision (c) of the Political Reform Act (the “Act”),<sup>1</sup> and in the District’s conflict of interest code.

As required by the Act and the District’s conflict of interest code, each designated employee of the District must file an annual statement of economic interests by April 1<sup>st</sup> of each year (unless April 1<sup>st</sup> falls on a Saturday, Sunday, or official holiday, in which case the filing deadline is extended to the next regular business day).<sup>2</sup> On the statement of economic interests, the designated employee must disclose the reportable economic interests that he or she held during the preceding calendar year.

In this matter, Respondent failed to timely file a 2000 annual statement of economic interests by the April 2, 2001 due date.

The Enforcement Division handled this case on an expedited basis under the SEI Expedited Procedures adopted by the Commission in July of 1999.

For the purposes of this Stipulation, Respondent’s violation is as follows:

**COUNT 1:** As a designated employee of the Ukiah Unified School District, Respondent failed to file a 2000 annual statement of economic interests, by April 2, 2001, in violation of Section 87300.

**RESPONDENT:** Lou Bleier

### **SUMMARY OF THE LAW**

An express purpose of the Act, as set forth in Section 81002, subdivision (c), is to assure that the assets and income of public officials, which may be materially affected by their official actions, be disclosed, so that conflicts of interest may be avoided.

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<sup>1</sup> The Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in sections 18109 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

<sup>2</sup> Regulation 18116.

In furtherance of this purpose, Section 87300 requires every agency to adopt and promulgate a conflict of interest code. The agency's conflict of interest code must specifically designate the employees of the agency who are required to file statements of economic interests disclosing their reportable investments, business positions, interests in real property, and other income. Under Section 82019, subdivision (c), and Section 87302, subdivision (a), the persons who are to be designated in an agency's conflict of interest code are the officers, employees, members, and consultants of the agency, whose position with the agency entails making, or participating in making, governmental decisions that may have a reasonably foreseeable material effect on a financial interest.

Section 87302, subdivision (b), provides that under an agency's conflict of interest code, each designated employee of the agency must be required to annually file a statement of economic interests, for each year that the employee remains in office, at a time specified in the agency's conflict of interest code, disclosing his or her reportable financial interests during the preceding calendar year.

Under Section 87300, the requirements of an agency's conflict of interest code have the force of law, and any violation of those requirements is deemed a violation of the Act.

### **SUMMARY OF THE FACTS**

Respondent Leo Bleier has served as a member of the Board of Education of the Ukiah Unified School District for the past twelve years. He was most recently re-elected to the Board of Education in November of 1997. Respondent is a designated employee of the District, as defined in section 82019, subdivision (c), of the Political Reform Act, and in the conflict of interest code for the District.

The District's conflict of interest code requires Respondent to file an annual statement of economic interests ("SEI"), for each year that he serves as a member of the Board of Education, by April 1st of the following year (unless April 1<sup>st</sup> falls on a Saturday, Sunday, or official holiday, in which case the filing deadline is extended to the next regular business day).

On January 29, 2001, Melissa Mack, the Deputy Clerk-Recorder for the County of Mendocino, sent a letter to Respondent, reminding him that his 2000 annual SEI was due by April 2, 2001. In spite of this reminder, Respondent failed to file his 2000 annual SEI by the April 2, 2001 due date. Ms. Mack therefore sent a second letter to Respondent on April 4, 2001, advising him that his 2000 annual SEI became past due.

On May 22, 2001, Investigator Bonnie Swaim of the Enforcement Division spoke with Respondent by telephone, and reminded him that his 2000 annual SEI remained past due. The next day, on May 23, 2001, Respondent filed the statement.

Although Respondent was 51 days late filing his 2000 annual SEI, he has timely filed all of his previous annual statements over the past twelve years.

### **CONCLUSION**

This matter consists of one count of violating Section 87300, which carries a maximum administrative penalty of Five Thousand Dollars (\$5,000.00). However, under the SEI Expedited Procedures program, the approved administrative penalty for an individual who files a delinquent SEI within 30 days of being contacted by the Enforcement Division is between Two Hundred and Three Hundred Dollars (\$200-\$300).

The facts of this case, particularly the fact that Respondent has a long history of filing his SEIs in a timely manner, and the fact that Respondent filed his overdue statement within one day of being contacted by Investigator Swaim, justify imposition of the agreed upon penalty of Two Hundred Dollars (\$200).